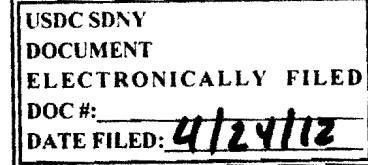


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
RENE HERNANDEZ, REBECCA HESTON, and :
JEFFREY STEINBERG, individually and on :
behalf of all others similarly :
situated, : 11 Civ. 8472 (KBF)

Plaintiffs, : ORDER

-v-

MERRILL LYNCH & CO., INC., MERRILL :
LYNCH, PIERCE, FENNER & SMITH, INC., :
and BANK OF AMERICA CORPORATION, :
: 11 Civ. 8472 (KBF)

Defendants. :
-----X

KATHERINE B. FORREST, District Judge:

Upon review of the parties' letters both dated April 20, 2012, regarding the proposed form of notice authorized by the Court in this FLSA action (see Dkt. No. 36), it is hereby

ORDERED that (1) plaintiffs shall remove other references to court authorization in the notice in addition to the header; (2) defendants' position shall be set forth in the notice as proposed by defendants (and not altered as plaintiffs propose); and (3) the notice may be provided to anyone who worked in a relevant position since November 22, 2008--three years prior to the filing of the complaint, see, e.g., Winfield v. Citibank, N.A., --- F. Supp. 2d ---, 2012 WL 423346, at *11 (S.D.N.Y. Feb. 9, 2012); cf. Raniere v. Citigroup Inc., --- F. Supp. 2d ---,

2011 WL 5881926, at *29 (S.D.N.Y. Nov. 22, 2011).

SO ORDERED:

Dated: New York, New York
April 23, 2012

Katherine B. Forrest
Katherine B. Forrest
UNITED STATES DISTRICT JUDGE